

SENATE BILL No. 181

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-11-2; IC 13-25-7.

Synopsis: Environmental assessment before demolition. Requires the owner of a Class 1 structure (other than a publicly owned structure) to have an environmental assessment of the structure done before demolition and to report the results to the municipality or county in which the structure is located.

Effective: July 1, 2005.

Lanane

January 4, 2005, read first time and referred to Committee on Energy and Environmental Affairs.

C
o
p
y



First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

SENATE BILL No. 181

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 13-11-2-25.9 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2005]: **Sec. 25.9. (a) "Class 1 structure", for**
4 **purposes of IC 13-25-7, except as provided in subsection (b), has**
5 **the meaning set forth in 675 IAC 12-6-2(b), as in effect on January**
6 **1, 2005.**

7 **(b) "Class 1 structure" does not include a publicly owned**
8 **structure.**

9 SECTION 2. IC 13-11-2-50.7 IS ADDED TO THE INDIANA
10 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2005]: **Sec. 50.7. "Demolish", for purposes**
12 **of IC 13-25-7, means to:**

13 **(1) wreck or raze by means of tools, equipment, or discharge**
14 **of explosives; or**

15 **(2) intentionally burn.**

16 SECTION 3. IC 13-25-7 IS ADDED TO THE INDIANA CODE AS
17 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY



C
o
p
y

1, 2005]:

**Chapter 7. Environmental Assessment of Class 1 Structures
Before Demolition**

Sec. 1. (a) If the owner of real property on which a Class 1 structure is located intends to demolish the structure, the owner must:

(1) have an environmental assessment of the structure done in accordance with:

(A) Standard Practice for Environmental Site Assessments: Phase 1 Environmental Site Assessment Process (ASTM E Standard Practice 1527.00); or

(B) a similar standard approved by the commissioner; not more than one hundred eighty (180) days before the commencement of the demolition; and

(2) file a report of the results of the environmental assessment with:

(A) the executive of the municipality, if the structure is located in a municipality; or

(B) the executive of the county in which the structure is located, if the structure is not located in a municipality; at least thirty (30) days before the commencement of the demolition.

(b) The boards may adopt rules under IC 4-22-2 to implement this section.

**C
o
p
y**

